

09/913669

Practitioner's Docket No. 56238 (71526)

PATENT

TRANSMITTAL LETTER TO THE U.S. DESIGNATED OFFICE (DO/US)--
ENTRY INTO THE U.S. NATIONAL STAGE UNDER CHAPTER I

<u>PCT/IP99/06804</u>	<u>03 December 1999</u>	<u>19 February 1999</u>
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

**CEREBROVASCULAR REGENERATION/RECONSTRUCTION-PROMOTING
AGENTS AND SECONDARY NERVOUS TISSUE DEGENERATION-INHIBITING
AGENTS COMPRISING GINSENOSE Rb₁**

TITLE OF INVENTION

Masahiro SAKANAKA, Junya TANAKA, Kohji SATO
APPLICANT(S)

Box PCT
Assistant Commissioner for Patents
Washington D.C. 20231
ATTENTION: DO/US

NOTE: *The completion of those filing requirements that can be made at a time later than 20 months from the priority date results from the Commissioner exercising his judgment under the authority granted under 35 U.S.C. § 371(d). The filing receipt will show the actual date of receipt of the last item completing the entry into the national phase. See 37 C.F.R. § 1.491, which states: "An international application enters the national stage when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 and § 1.495."*

WARNING: *Where the items are those that can be submitted to complete the entry of the international application into the national phase subsequent to 20 months from the priority date, the application is still considered to be in the international stage. And if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. § 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 C.F.R. § 1.8(2)(ii)).*

CERTIFICATION UNDER 37 C.F.R. § 1.10**(Express Mail label number is mandatory.)**(Express Mail certification is optional.)*

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date August 16, 2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EL895419389US**, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Susan M. Dillon
 (type or print name of person mailing paper)

Susan M. Dillon
 Signature of person mailing paper

WARNING: *Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.*

***WARNING:** *Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).*

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Transmittal Letter to the United States Designated Office (DO/US - Entry into National Stage under 35 USC 371--page 1 of 7)

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WARNING: Documents and fees must be clearly identified as a submission to enter the national stage under 35 U.S.C. § 371, otherwise the submission will be considered as being made under 35 U.S.C. § 111. 37 C.F.R. § 1.494(f).

WARNING: Failure to pay the national fee within 20 months from the priority date will result in the abandonment of the application. The time for payment of the basic fee is not extendable. M.P.E.P. § 1893.01(a)(1), 6th ed., rev. 3.

1. Applicant herewith submits to the United States Designated Office (DO/US) the following items under 35 U.S.C. 371:

- a. [X] This express request to immediately begin national examination procedures (35 U.S.C. § 371(f)).
- b. [X] The U.S. National Fee (35 U.S.C. § 371(c)(1)) and
- [X] other fees (37 C.F.R. § 1.492), as indicated below:

2. Fees

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
*	TOTAL CLAIMS	30 - 20 =	10	x\$ 18.00=	\$180.00
	INDEPENDENT CLAIMS	10 - 3 =	7	x\$ 80.00=	\$560.00
	MULTIPLE DEPENDENT CLAIMS(S) (if applicable) + \$270.00				\$270.00
BASIC FEE**	The international search fee, as set forth in § 1.445(a)(2) to be paid to the US PTO acting as an International Searching Authority:				\$ 860.00
	<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> has been paid (37 CFR 1.492(a)(2)).....\$760.00 <input type="checkbox"/> has not been paid (37 CFR 1.492(a)(3)).....\$970.00 <input checked="" type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 CFR 1.492(a)(5)) \$860.00 </div> </div>				
SMALL ENTITY	Total of above Calculations				= \$1,870.00
	Reduction by 1/3 for filing by small entity, if applicable. Affidavit must be filed also. (note 37 CFR 1.9, 1.27, 1.28)				-
	Subtotal				\$1,870.00
	Total National Fee				\$1,870.00
	Fee for recording the enclosed assignment document \$40.00 (37 CFR 1.21(h)). (See Item 10 below). See attached "ASSIGNMENT COVER SHEET (37 CFR 3.34)".				\$ 40.00
TOTAL	Total Fees enclosed				\$1,910.00

****WARNING:** "To avoid abandonment of the application, the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 20 months from the priority date; *** (2) the basic national fee (see § 1.492(a)). The 20-month time limit may not be extended." 37 C.F.R. § 1.494(b).

- i. ☒ [X] A check in the amount of \$ 1,910.00 to cover the above fees is enclosed.
ii. ☐ [] Please charge Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.

WARNING: *If the translations of the international application and/or oath or declaration have not been submitted by the applicant within twenty (20) months from the priority date, the applicant will be so notified and given a period of time within which to file the translation and/or oath or declaration in order to prevent abandonment. The payment of the surcharge set forth in § 1.492(e) is required as a condition for accepting the oath or declaration later than twenty (20) months after the priority date. The payment of the processing fee set forth in § 1.492(f) is required for acceptance of an English translation later than twenty (20) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of § 1.136 will apply. 37 C.F.R. § 1.494(c).*

3. A copy of the International application as filed (35 U.S.C. § 371(c)(2)):
a. ☐ [] is transmitted herewith.
b. ☐ [] is not required, as the application was filed with the United States Receiving Office.
c. ☒ [X] has been transmitted
i. ☒ [X] by the International Bureau. Date of mailing of the application From form PCT/IB(308): **24 August 2000**.
ii. ☐ [] by applicant on _____.
Date

NOTE: *Section 1.494(b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 20 months from the priority date to avoid abandonment. "The International Bureau nominally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies the applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage and applicant has received notice from the International Bureau, applicant need only pay the basic national fee by 20 months from the priority date." [This can now be paid subsequently with a surcharge.] Notice of Jan. 7, 1993, 1147 O.G. 29 to 40, at 35.*

4. A translation of the International application into the English language (35 U.S.C. § 371(c)(2)):
a. ☒ [X] is transmitted herewith.
b. ☐ [] is not required as the application was filed in English.
c. ☐ [] was previously transmitted by applicant on _____.
Date

5. ☒ [X] Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. § 371(c)(3)):

NOTE: *The Notice of January 7, 1993 indicates that 37 C.F.R. § 1.494(d) was "amended to clarify the existing practice that PCT Article 19 Amendments must be submitted by 20 months from the priority date, which time may not be extended." This Notice further advises: "Of course, the failure to do so does not result in loss of the subject matter of PCT Article 19 amendments. The applicant may submit that subject matter in a preliminary amendment filed under Section 1.121. In many cases, filing an amendment under Section 1.121 is preferable since grammatical or idiomatic errors may be corrected." 1147 O.G. 29-40, at 35. See item 11(c) below. See also 37 C.F.R. § 1.494(d).*

- a. ☐ [] are transmitted herewith.